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PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request
for
Continued Examination (RCE)
TransmittalAddress to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/802,544
Filing Date	March 16, 2004
First Named Inventor	Jeffery L. WANG et al.
Art Unit	3729
Examiner Name	Paul D. KIM
Attorney Docket Number	12553/129

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AUG 25 2006

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

- ii. ☒ Other Amendment filed July 5, 2006

- b. ☒ Enclosed

- i. ☒ Amendment/Reply

- iii. ☐ Information Disclosure Statement (IDS)

- ii. ☐ Affidavit(s)/ Declaration(s)

- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☒ Deposit Account No. 11-0600

- i. ☒ RCE fee required under 37 CFR 1.17(e)

- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

- iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Sumit Bhattacharya	Registration No. (Attorney/Agent)	51,469
Signature	<i>Sumit Bhattacharya</i>	Date	August 25, 2006

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. M/S: RCE **88947**

Name (Print/Type)	Barbara Vance	Date	August 25, 2006
Signature	<i>Barbara Vance</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td></td><td></td><td>1051</td><td>130</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td></td><td></td><td>1052</td><td>50</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td></td><td></td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td></td><td></td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td></td><td></td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td></td><td></td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td></td><td></td><td>1251</td><td>120</td><td>Extension for reply within first month</td><td></td></tr> <tr><td></td><td></td><td>1252</td><td>450</td><td>Extension for reply within second month</td><td></td></tr> <tr><td></td><td></td><td>1253</td><td>1,020</td><td>Extension for reply within third month</td><td></td></tr> <tr><td></td><td></td><td>1254</td><td>1,580</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td></td><td></td><td>1255</td><td>2,160</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td></td><td></td><td>1401</td><td>500</td><td>Notice of Appeal</td><td></td></tr> <tr><td></td><td></td><td>1402</td><td>500</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td></td><td></td><td>1403</td><td>1,000</td><td>Request for oral hearing</td><td></td></tr> <tr><td></td><td></td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td></td><td></td><td>1452</td><td>500</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td></td><td></td><td>1453</td><td>1,500</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td></td><td></td><td>1501</td><td>1,400</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td></td><td></td><td>1502</td><td>490</td><td>Design issue fee</td><td></td></tr> <tr><td></td><td></td><td>1503</td><td>660</td><td>Plant issue fee</td><td></td></tr> <tr><td></td><td></td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td></td><td></td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17 (4)</td><td></td></tr> <tr><td></td><td></td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td></td><td></td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td></td><td></td><td>1809</td><td>790</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td></td><td></td><td>1810</td><td>790</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td></td><td></td><td>1801</td><td>790</td><td>Request for Continued Examination (RCE)</td><td>790.00</td></tr> <tr><td></td><td></td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid			1051	130	Surcharge - late filing fee or oath				1052	50	Surcharge - late provisional filing fee or cover sheet				1053	130	Non-English specification				1812	2,520	For filing a request for <i>ex parte</i> reexamination				1804	920*	Requesting publication of SIR prior to Examiner action				1805	1,840*	Requesting publication of SIR after Examiner action				1251	120	Extension for reply within first month				1252	450	Extension for reply within second month				1253	1,020	Extension for reply within third month				1254	1,580	Extension for reply within fourth month				1255	2,160	Extension for reply within fifth month				1401	500	Notice of Appeal				1402	500	Filing a brief in support of an appeal				1403	1,000	Request for oral hearing				1451	1,510	Petition to institute a public use proceeding				1452	500	Petition to revive - unavoidable				1453	1,500	Petition to revive - unintentional				1501	1,400	Utility issue fee (or reissue)				1502	490	Design issue fee				1503	660	Plant issue fee				1460	130	Petitions to the Commissioner				1807	50	Processing fee under 37 CFR 1.17 (4)				1806	180	Submission of Information Disclosure Stmt				8021	40	Recording each patent assignment per property (times number of properties)				1809	790	Filing a submission after final rejection (37 CFR § 1.129(a))				1810	790	For each additional invention to be examined (37 CFR § 1.129(b))				1801	790	Request for Continued Examination (RCE)	790.00			1802	900	Request for expedited examination of a design application	
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Sumit Bhattacharya	Registration No. (Attorney/Agent)	51,469
Signature	<i>Sumit Bhattacharya</i>	Telephone	(408) 975-7500
		Date	August 25, 2006

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KENYON KENYON

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☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**790.00**

Complete if Known

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Filing Date **March 16, 2004**
First Named Inventor **Jeffery L. WANG et al.**
Examiner Name **Paul D. KIM**
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AUG 25 2006

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number**11-0600**Deposit
Account
Name**Kenyon & Kenyon LLP**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)
☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims	<input type="text"/> -20 **	=	<input type="text"/>	X	<input type="text"/> 50.00	=	<input type="text"/>
Independent Claims	<input type="text"/> -3 **	=	<input type="text"/>	X	<input type="text"/> 200.00	=	<input type="text"/>
Multiple Dependent				X	<input type="text"/>	=	<input type="text"/>

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	50	2202	25	Claims in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	350	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	** Reissue independent claims over original patent	
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
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1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,500	2254	795	Extension for reply within fourth month	
1255	2,150	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
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1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	790.00
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$)
790.00**

SUBMITTED BY

Name (Print/Type)

Sumit Bhattacharya

Registration No. (Attorney/Agent)

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Telephone

Complete (if applicable)
(408) 975-7500

Signature

Sumit Bhattacharya

Date

August 25, 2006

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